

VUS 5

FIRST GOVERNMENTS

Articles of Confederation and the
Constitution

VOCABULARY

- CONFEDERATION- SHARED POWER
- REPUBLIC- RULE BY *ELECTED* OFFICIALS
- NATIONAL(FEDERAL OR CENTRAL)-
CONCERNED WITH THE ENTIRE NATION OR
COUNTRY
- *AUTONOMY- SELF-GOVERNING
COMMUNITY-IN THIS CASE-THE INDIVIDUAL
STATES
- FEDERALISM-SHARED POWER BETWEEN
NATIONAL GOV' T AND STATE GOV' T

Due process

- prevents government from depriving individuals of their rights and freedoms without following established legal procedures.

NEW COUNTRY-NEW GOVERNMENT

AOC-Articles of Confederation

(League of Friendship)

- The Founding Fathers were afraid of a too powerful central government (like Britain's) so they created the ARTICLES OF CONFEDERATION-FIRST FORM OF NATIONAL GOVERNMENT-1777-
- **Power would remain with the states**
- **Only National branch was Congress-Legislative**

AOC-POWERS-What it could do

- **BORROW MONEY**
- **DECLARE WAR**
- **MAKE PEACE**
- **SIGN TREATIES**
- **SET STANDARDS WEIGHTS / MEASURES**
- **POSTAL SERVICE**
- **DEALT WITH NATIVE AMERICAN ISSUES-
Northwest Territory**
- **DEALT WITH WESTERN LAND
CONTROVERSIES**



WEAKNESSES OF AOC

- Provided for a weak national government.
- Gave Congress no power to tax-so couldn't raise a military
- No way to regulate commerce among the states or foreign trade.
- Provided for no common currency.
- Gave each state one vote regardless of size in the Continental Congress.
- Provided for no executive or judicial branch.
- 2/3 needed to agree to pass laws.
- All had to agree for amendments.

Reason for Constitutional Convention- showed need for strong National Gov' t

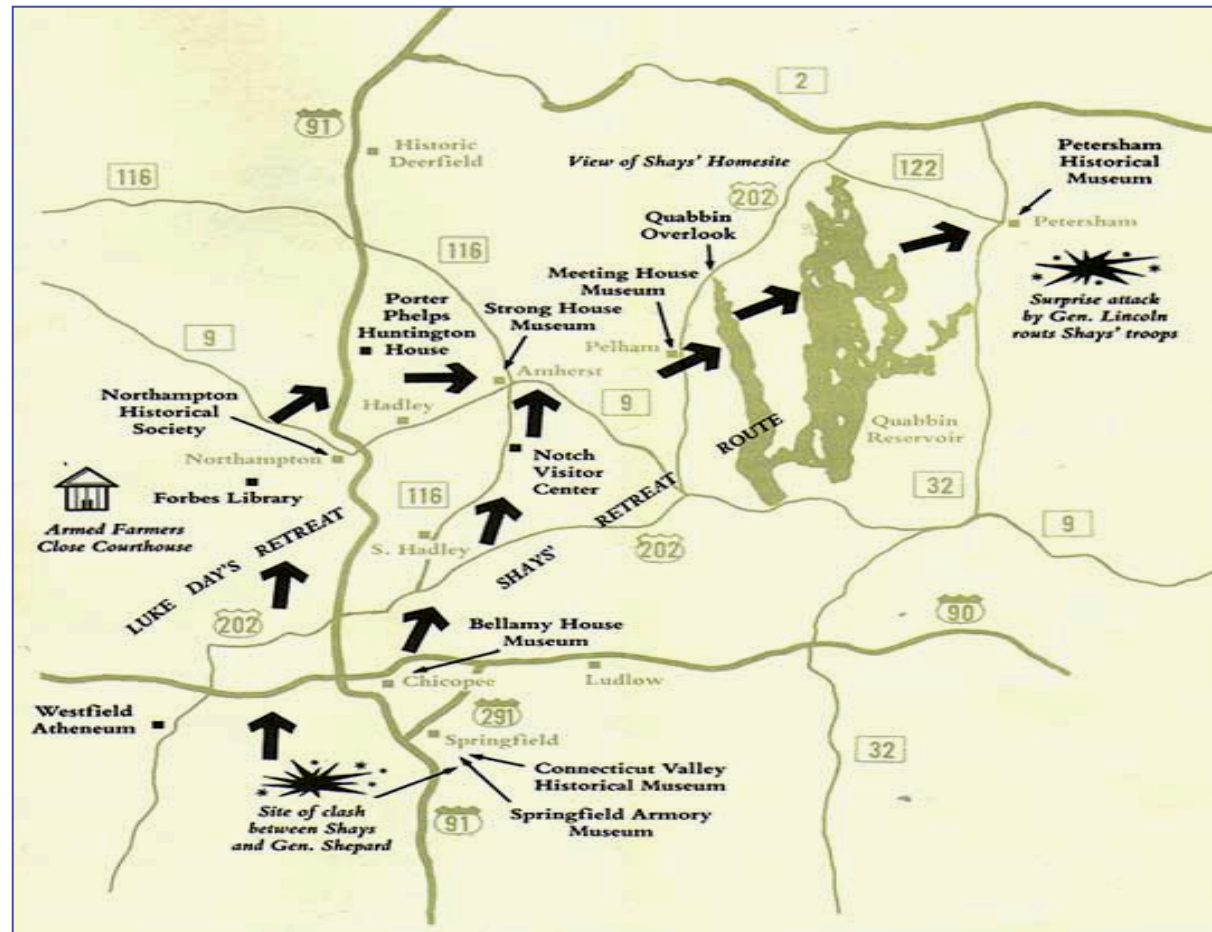
Shays' Rebellion 1786

- Farmer (Daniel Shays) in MA. couldn't pay debts-losing farm
- Served in Revolutionary War
- He and other farmers started a rebellion and there was no federal military to stop it.
- Showed government was too weak to deal with problems

Shays' Rebellion



SHAYS' REBELLION

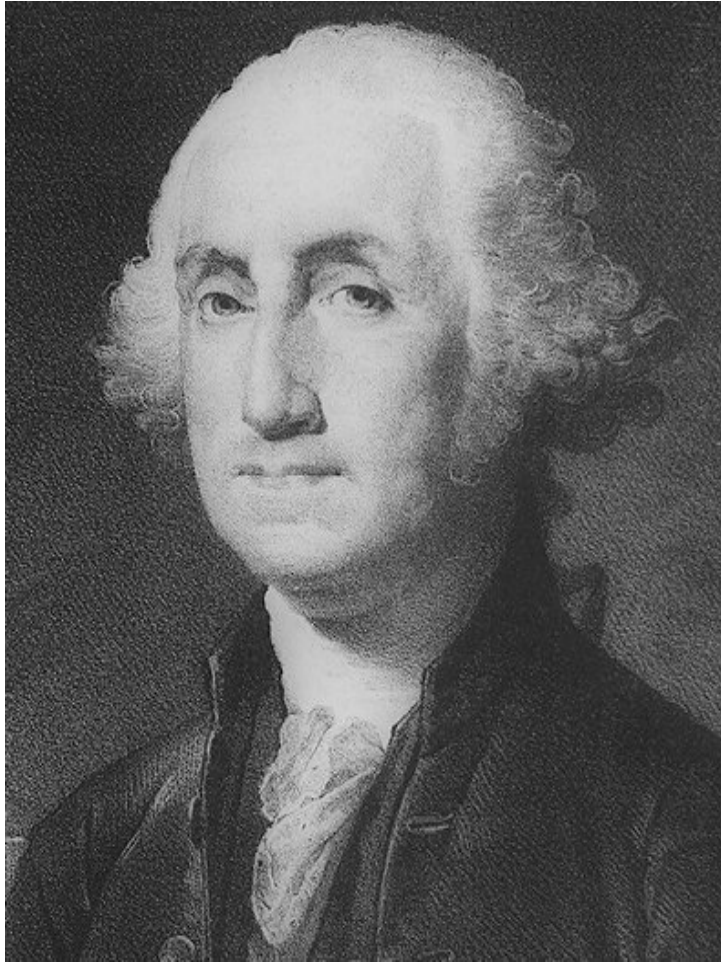


Constitutional Convention

- **CONVENTION MEETS IN Philadelphia in May 1787 to amend (fix) the AOC**

Constitutional Convention

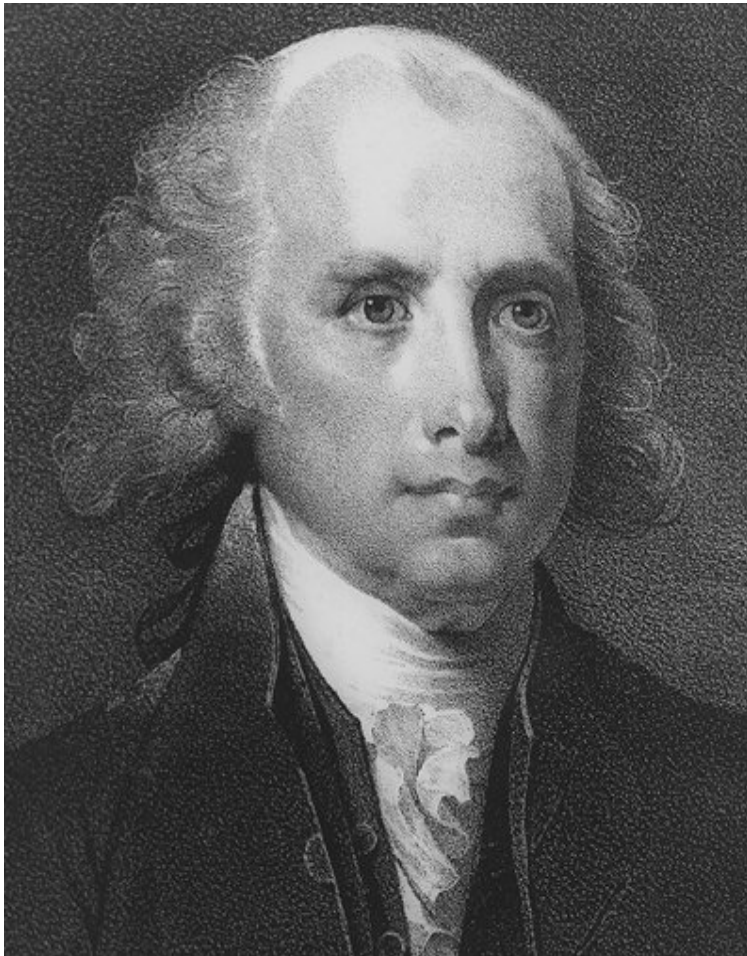
Key Leaders



- **George Washington**
- *President*
(presided) of the
Convention

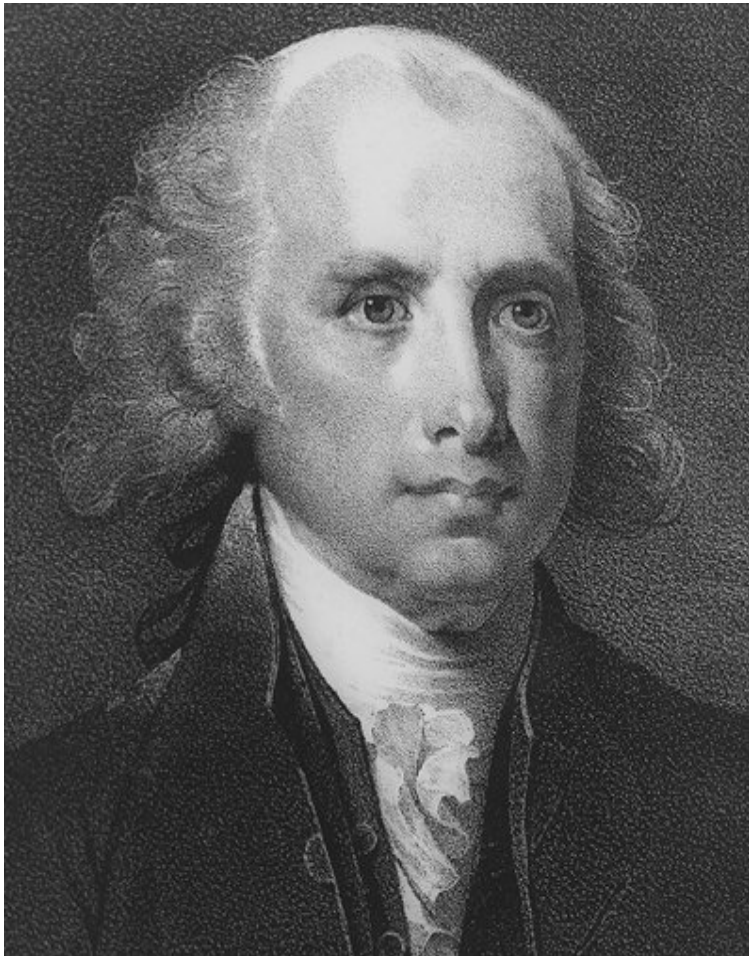
Constitutional Convention

James Madison



- “*Father of the Constitution*”
- Virginian, brilliant political philosopher
- Kept detailed notes of events

James Madison-Virginia Plan



- Wrote the “Virginia Plan”
proposed a federal
government of 3 separate
branches: legislative,
executive, and judicial.
- Called for 2 houses-
Bicameral-based on
population
- Favored large states-
- *VA was a large state

New Jersey Plan

- Called for 1 house-Unicameral-
equal representation for each
state
- **Favored small states**

Roger Sherman's Great Compromise

Current Congress

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graph TD; A[Roger Sherman's Great Compromise  
Current Congress] --> B[SENATE]; A --> C[HOUSE OF REPRESENTATIVES]; B --> D["EACH STATE  
2 SENATORS  
Appointed not elected"]; C --> E["MEMBERSHIP  
BASED ON  
POPULATION"]
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SENATE

EACH STATE
2 SENATORS

Appointed not elected

HOUSE OF
REPRESENTATIVES

MEMBERSHIP
BASED ON
POPULATION

***THREE/FIFTH'S Compromise

- *Three Fifth's Compromise- counted slaves as 3/5 a person.*
- Slavery would be allowed for another 20 years.

THE CONSTITUTION
9/17/1787-COMPLETED

NOW MUST BE RATIFIED
BY 9 of 13 STATES TO
BECOME LAW

STRUCTURE

FEDERAL GOVERNMENT-DEFINED

- Constitution made Federal (national) law the supreme law of the land when constitutional, but otherwise gave states some power to govern themselves.

STRUCTURE

Limiting powers of Government

- 1) Avoided a too-powerful central government by establishing *three branches with checks and balances*
- 2) Limited the powers of the federal government to those *identified in the Constitution.*

Branches of Government

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graph TD; A[Branches of Government] --> B[Legislative]; A --> C[Judicial]; A --> D[Executive]; B --> E["Congress<br/>Make laws"]; C --> F["Federal Courts/ Supreme Court<br/>Interpret laws"]; D --> G["President<br/>Enforce laws"];
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Legislative

Congress
Make laws

Judicial

Federal Courts/
Supreme Court
Interpret laws

Executive

President
Enforce laws

STRUCTURE

- THE STRUCTURE OF THE GOVERNMENT IS
IN ARTICLES 1-7

STRUCTURE

- **ARTICLE 1**-LEGISLATIVE POWERS OF CONGRESS
- **ELASTIC CLAUSE-**
- granting Congress the power to pass all laws “necessary and proper” for carrying out its powers.
- **ARTICLE 2**-EXECUTIVE POWERS OF PRESIDENT
- **ELECTORAL COLLEGE**

STRUCTURE

- **ARTICLE 3-SUPREME COURT-**
JUDICIAL POWERS OF THE
COURTS-Treason is defined here
- **ARTICLE 4-RELATIONS AMONG
STATES**

STRUCTURE

- **ARTICLE 5**-AMENDING THE CONSTITUTION-2 / 3rds of both houses must agree
- **ARTICLE 6**-SUPREMACY OF THE NATIONAL GOVERNMENT-highest authority resides in the federal government
- **ARTICLE 7**-RATIFICATION of the constitution if 9 / 13 states approved it.

REMEMBER

- BOTH THE AOC AND THE CONSTITUTION BELIEVED IN LIMITED GOVERNMENT-
- THEY DID NOT WANT A TOO POWERFUL GOVERNMENT THAT WOULD NOT ALLOW THE STATES SOME POWER

FEDERALISTS AND ANTI-FEDERALISTS

THE DEBATE BEGINS

*** FEDERALISTS- for the Ratification of the Constitution
(stronger national govt's)

- **Wanted a strong (national) government-
to promote economic development and
public improvements.**
- **Richer folks**
- **Today, those would believe in the primary
role of the federal government is solving
national problems.**

Famous Federalists

- GEORGE WASHINGTON
- JAMES MADISON
- ALEXANDER HAMILTON

George Washington



JAMES MADISON



ALEXANDER HAMILTON



FEDERALIST PAPERS

- ESSAYS WRITTEN BY ALEXANDER HAMILTON, JAMES MADISON, AND JOHN JAY TO CONVINCE THE PUBLIC TO RATIFY THE CONSTITUTION.

ANTI-FEDERALISTS-(against ratification-
(Favored Stronger State govt' s)

Anti-Federalists favored stronger state
governments.

Common man.

Today, those would believe in:

- * *liberty,*
- * *individual initiative,*
- * *free markets.*

Famous Anti-Federalists

- PATRICK HENRY
- GEORGE MASON
- THOMAS JEFFERSON

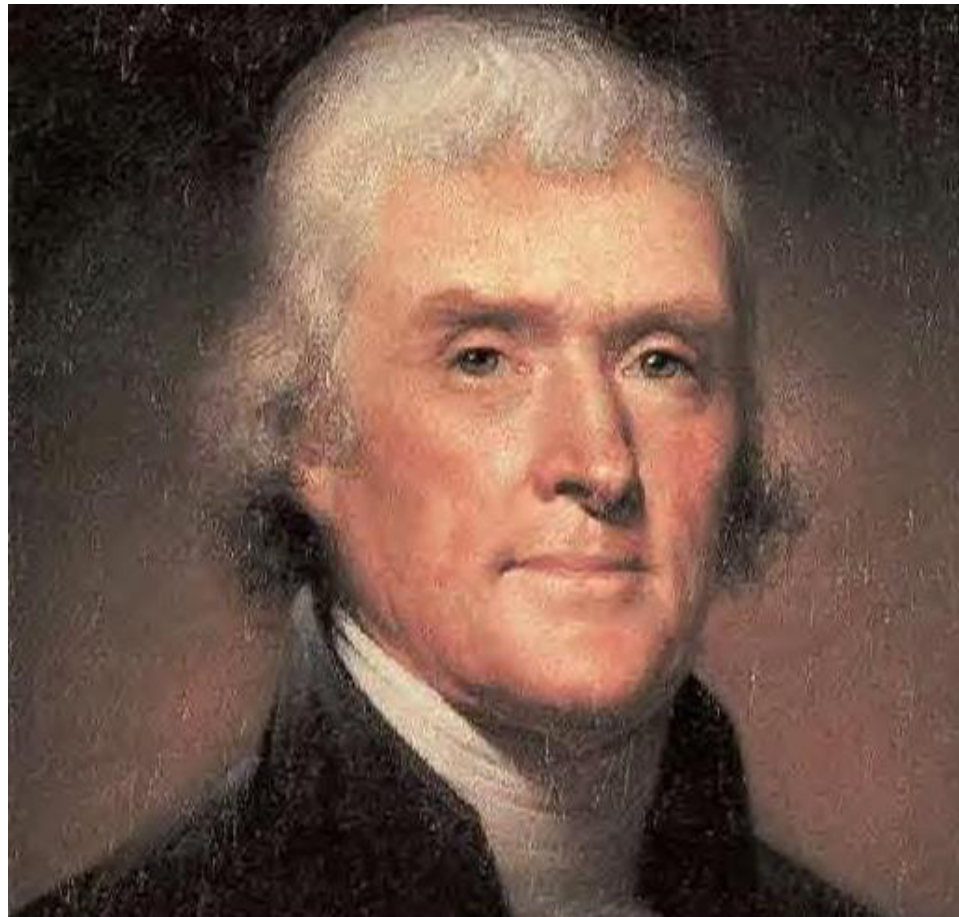
PATRICK HENRY



GEORGE MASON



THOMAS JEFFERSON



RATIFICATION REQUIREMENTS

- **ANTI-FEDERALISTS-**
Forced the Federalists to pledge that a *Bill of Rights* would be added.



*****Bill of Rights-JAMES MADISON**

- **1791**
- **First 10 amendments of the Constitution**

Documents used to write the Bill of Rights

- **Virginia Declaration of Rights-George Mason**
- **Says basic human rights should not be violated by governments.**

Documents used to write the Bill of Rights

- **Virginia Statute for Religious Freedom-Thomas Jefferson**
- **Outlawed the established church- that is, the *practice of government support for one favored church*-The Anglican Church**

***BILL OF RIGHTS

VIRGINIA
DECLARATION OF
RIGHTS-George
Mason

VA STATUTE
FOR
RELIGIOUS
FREEDOM-
Thomas
Jefferson

BILL OF
RIGHTS
James
Madison

SUPREME COURT CASES

CHIEF JUSTICE JOHN MARSHALL

- Chief Justice of the Supreme Court

John Marshall of Virginia

strengthened the role of the *United States Supreme* court as an equal branch of the national government.

SUPREME COURT CASES

- *Marbury v. Madison*- “*judicial review*”
- established the power of the federal courts to *declare laws unconstitutional* .

- *McCulloch v. Maryland*- “*implied powers*”

- The constitution grants Congress “*implied powers*” for implementing the Constitution’s express powers in order to create a functional national government by the *elastic clause*.

- *Gibbons v. Ogden* - “commerce clause”
- This gives the Supreme Court the authority to decide disagreements between branches of government, levels of government, and competing business interests.
- Federal government SUPREME over state governments.

***United States Government

CONSTITUTIONAL REPUBLIC